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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Joseph S. Tripoli
THOMSON multimedia Licensing, Inc
Two Independence Way
P.O. Box 5312
Princeton, NJ 08543

EXAMINER

KNOLL, CLIFFORD H

ART UNIT

PAPER NUMBER

2112

DATE MAILED: 03/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,387

Applicant(s)

PIERRE BERTIN ET AL.

Examiner

Clifford H Knoll

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Specification

The abstract of the disclosure is objected to because of legal phraseology.

Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3, and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the “means of connection to a bi-directional communication network” is unclear because the recitation fails to establish a nexus with recited limitations that follow.

In claim 2, “each second connector” is unclear because there is only one second connector; it cannot be determined if additional elements are being recited.

In claim 3, the “two inputs each linked to an input/output” is unclear because it is not clear what connection is intended, whether to an input or an output. “[T]he transfer of data” (line 29) is unclear because its relationship to the two inputs is not clear. “[T]he inputs/outputs of the controller” (lines 32, 36, both recitations) is unclear because its antecedent basis cannot be clearly established. In its totality the dependent claim does not clearly establish the relationship between its constituent elements.

In claim 7, the “peripheral or peripherals” does not have a clear antecedent basis: in the singular, it is not clear the relationship to “peripheral apparatus” previously recited; in the plural, it is not clear if it is intended to introduce additional peripherals.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, and 3-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Meirsman (US 6636923).

Regarding claim 1, Meirsman discloses a first connector for communication with a master apparatus (e.g., col. 4, lines 29-31); a second connector for communication with a peripheral apparatus (e.g., col. 4, lines 36-37), means of transmission of a supply voltage on the first connector originating from the master apparatus and means of detection of the presence thereon of the supply voltage (e.g., col. 4, lines 7-10) controlling a switching circuit fro going from a master mode and from a slave mode (e.g., col. 4, lines 38-45).

Regarding claim 3, Meirsman also discloses wherein the switching circuit comprises two inputs each linked to an input/output of a controller managing the transfer of data between the first or the second connector and a so-called main microprocessor of the apparatus (e.g., col. 4, lines 24-28), the switching circuit also comprises inputs/outputs allowing the connection of the first and second connector so that either the first connector is linked to the inputs/outputs of the controller, or the

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second connector is linked to the inputs/outputs of the controller (e.g., col. 4, lines 38-45).

Regarding claim 4, Meirsman also discloses wherein the means of detection are linked, firstly to a specific input of the switching circuit, secondly to an input of the controller and thirdly to an input of the main microprocessor (e.g., col. 4, lines 38-43).

Regarding claim 5, Meirsman also discloses wherein the master apparatus is a personal computer and the apparatus comprises a digital decoder connected to the communication network so as to allow the computer to talk to said network (e.g., col. 3, lines 39-42).

Regarding claim 6, Meirsman also discloses wherein the means of detection comprise a line transmitting either the supply voltage appearing on the first connector, or a signal representative of the appearance of the supply voltage on the first connector, to the switching circuit, the controller and the main microprocessor (e.g., col. 4, lines 9-13).

Regarding claim 7, Meirsman also discloses wherein the peripheral or peripherals are linked to the second connector of the apparatus by way of a splitter (e.g., col. 4, lines 40-41).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meirsman as applied to claim 1 above, in view of standard USB implementation, as further evidenced by Russell (US 6584519).

Regarding claim 2, Meirsman also discloses upstream and downstream connections (e.g., col. 4, lines 38-43), but neglects to mention the standard USB implementational detail which identifies these as A and B type connectors. The Examiner takes Official Notice that these are well-known physical details of the USB standard, as further evidenced by Russell (e.g., Figure 1). It would be obvious to combine the USB type connectors with Meirsman because it is advantageous to use standard USB connectors when implementing the USB standard in a system such as Meirsman. Therefore it would be obvious to one of ordinary skill in the art to combine Meirsman with implementation standards to obtain the claimed invention.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hart (US 6549968) also discloses a different embodiment for sensing voltage from a master apparatus and switching thereby.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H Knoll whose telephone number is 703-305-8656. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

chk



MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2